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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

David Scott Detrich
Petitioner,

v.

Dora Schriro, et al.,
Respondents.

) CV 03-229-TUC-DCB
) DEATH PENALTY CASE
)
) **ORDER**
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Pending before the Court is Petitioner's September 29, 2005 Motion for Extension of Time, which requests additional time to file a motion for reconsideration and for the hearing of oral argument regarding evidentiary development of Claims A(5) (in part) and B. Respondents do not oppose the requested time extensions, and the parties agree they are available for oral argument on December 5, 2005.

Petitioner requests additional time for the filing of the motion for reconsideration based on counsel's schedules and the "substantial and critical" nature of the motion. The Court will grant the time extension in light of counsel's schedules; however, counsel are reminded of the limited nature of motions for reconsideration. See School Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993) (absent "highly unusual" circumstances, motion for reconsideration is only appropriate if there is newly discovered evidence, clear error, or an intervening change in the law). The Court does not intend to grant any extensions of the seventeen-page limit for motions as set forth in Local

1 Rule Civil 7.2(e).

2 Accordingly,

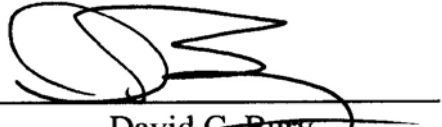
3 **IT IS ORDERED** that Petitioner's Motion for Extension of Time (Dkt. 94) is
4 **GRANTED.**

5 **IT IS FURTHER ORDERED** that any motions for reconsideration and Petitioner's
6 list regarding the evidentiary development requested for Claim A(5) shall be filed on or
7 before **November 1, 2005.**

8 **IT IS FURTHER ORDERED** that the oral argument currently scheduled for
9 November 7, 2005, is **VACATED** and **RESET** to **Monday, December 5, 2005, at 3:00**
10 **p.m.**, in Courtroom 6B, 6th Floor.

11 DATED this 5th day of October, 2005.

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David C. Bury
United States District Judge